

PROPOSED CONFERENCE REPORT NO. 1  
AUGUST 25, 2000

AMENDED IN ASSEMBLY JUNE 1, 2000

AMENDED IN ASSEMBLY SEPTEMBER 9, 1999

AMENDED IN SENATE APRIL 28, 1999

AMENDED IN SENATE MARCH 15, 1999

**SENATE BILL**

**No. 329**

**Introduced by Senator Peace**

February 8, 1999

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An act to add *and repeal* Title 7.55 (commencing with Section 67150) ~~to~~ of the Government Code, relating to ~~transportation~~ *public agencies*.

LEGISLATIVE COUNSEL'S DIGEST

SB 329, as amended, Peace. San Diego Regional ~~Infrastructure and Transportation Act~~ *Government Efficiency Commission*.

Under existing law, there are a number of agencies involved with transportation and infrastructure issues in the County of San Diego.

This bill would enact the San Diego Regional ~~Infrastructure and Transportation~~ *Government Efficiency Commission Act*, ~~and would~~ make related findings and declarations, *create an 11-member San Diego Regional Government Efficiency Commission, require the commission to submit to the Legislature a plan and draft legislation for the consolidation*

of regional agencies within the San Diego region, and grant specified powers to the commission. The bill would state that legislation implementing the commission's plan shall not become operative unless a ballot proposition containing that proposal is approved by the voters, as specified. The bill would state that if that proposition is approved, at an election conducted in March 2002, the operative date of the legislation shall be July 1, 2002, and if the proposition is approved at an election conducted in November 2002, the operative date of the legislation shall be January 1, 2003. The bill would require the County of San Diego to conduct that election in either March 2002 or November 2002.

By imposing a new program and other duties on local governmental entities this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Title 7.55 (commencing with Section  
2 67150) is added to the Government Code, to read:

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TITLE 7.55. SAN DIEGO REGIONAL  
~~INFRASTRUCTURE AND TRANSPORTATION~~

GOVERNMENT EFFICIENCY COMMISSION

67150. This title shall be known and may be cited as the San Diego Regional Government Efficiency Commission Act.

67150.1. (a) The Legislature finds and declares all of the following:

(1) The Legislature has established several separate limited-purpose agencies in the San Diego region.

(2) The San Diego region's residents strongly support efforts to protect and enhance our quality of life, the environment, sustained economic development, and efforts to ensure the equitable distribution of the costs and benefits of environmental protection and economic development.

(3) The problems facing the San Diego region include linking land use to transportation and the increasing congestion of airports, ports, and surface transportation routes caused by growth in the transportation of freight, goods, passengers, and commuters.

(4) The opportunity facing the San Diego region is the ability of federal, state, regional, and local agencies to cooperate on solutions.

(b) Accordingly, the Legislature further finds and declares that there is a need to improve coordination or restructure the governance of regional agencies within the San Diego region by January 1, 2003, so as to improve those agencies' authority, efficiency, and accountability.

(c) Therefore, it is the intent of the Legislature in enacting this title to create a regional government efficiency commission to make recommendations to the Legislature regarding these problems, challenges, and opportunities. It is the intent of the Legislature that the commission have the task of developing a plan for the coordinated governance of regional agencies, and to submit that plan for adoption by the Legislature.

67150.2. There is hereby created the San Diego Regional Government Efficiency Commission, which consists of 11 members, as follows:

1 (a) *The chair of the Joint Agency Negotiating Team on*  
2 *Consolidation, who shall also chair the commission.*

3 (b) *The chair of the board of directors of the San Diego*  
4 *Association of Governments, unless that board, by*  
5 *majority vote, appoints another person from among that*  
6 *board's members.*

7 (c) *The chair of the San Diego Metropolitan Transit*  
8 *Development Board, unless that board, by majority vote,*  
9 *appoints another person from among that board's*  
10 *members.*

11 (d) *The chair of the North San Diego County Transit*  
12 *Development Board, unless that board, by majority vote,*  
13 *appoints another person from among that board's*  
14 *members.*

15 (e) *The chair of the Board of Commissioners of the San*  
16 *Diego Unified Port District, unless that board, by*  
17 *majority vote, appoints another person from among that*  
18 *board's members.*

19 (f) *The member of the legislative body authorized to*  
20 *govern the infrastructure financing district in the border*  
21 *development zone whose supervisorial district includes*  
22 *the San Ysidro and Otay Mesa border crossings.*

23 (g) *Five persons who are residents of the San Diego*  
24 *region, appointed by the Governor. The Legislature*  
25 *encourages the Governor to appoint persons who are*  
26 *broadly representative of the diversity of the residents of*  
27 *the San Diego region.*

28 67150.3. (a) *On or before August 1, 2001, the*  
29 *commission shall submit to the Legislature both of the*  
30 *following:*

31 (1) *A plan and draft legislation for the consolidation of*  
32 *regional agencies within the San Diego region.*

33 (2) *A plan and draft legislation to improve*  
34 *coordination of regional agencies within the San Diego*  
35 *region.*

36 (b) *The commission's plan and draft legislation shall*  
37 *accomplish the Legislature's intent as set forth in Section*  
38 *67150.1.*

1 (c) To the extent it determines it to be necessary, the  
2 commission may prepare appropriate ballot propositions  
3 for individual jurisdictions.

4 (d) The commission may evaluate specific land use  
5 authority alternatives in order to meet transportation  
6 goals as defined by the commission.

7 (e) The commission may evaluate the consolidation of  
8 other regional agencies and functions.

9 (f) Legislation implementing the commission's plan  
10 shall not become operative unless a ballot proposition  
11 containing that proposal is approved by a majority of the  
12 votes cast by the voters voting on that proposition at an  
13 election that shall be conducted by the County of San  
14 Diego in the San Diego region in either March 2002, or  
15 November 2002. The County of San Diego shall conduct  
16 that election in substantial compliance with the state laws  
17 pertaining to county referendum elections. If that  
18 proposition is approved by a majority of the votes cast at  
19 an election conducted in March 2002, the operative date  
20 of the legislation shall be July 1, 2002. If that proposition  
21 is approved by a majority of the votes cast at an election  
22 conducted in November 2002, the operative date of the  
23 legislation shall be January 1, 2003.

24 67150.4. (a) It is the intent of the Legislature that all  
25 state agencies, boards, and commissions, including, but  
26 not limited to, the California State University and the  
27 University of California, shall cooperate with the  
28 commission in carrying out its purposes. Further, it is the  
29 intent of the Legislature that the Regents of the  
30 University of California provide the commission with a  
31 venue to carry out its purposes at the University of  
32 California, San Diego.

33 (b) All legislative committees, agencies, and offices  
34 shall cooperate with the commission in carrying out its  
35 purposes.

36 (c) A majority of the commission shall constitute a  
37 quorum for the transaction of business.

38 (d) A recorded vote of a majority of the total  
39 membership of the commission is required for any action,

1 including, but not limited to, the selection of staff and  
2 other support services.

3 (e) Meetings of the commission are subject to the  
4 Bagley-Keene Open Meeting Act (Chapter 9  
5 (commencing with Section 11120) of Chapter 1 of Part 1  
6 of Division 3 of Title 2).

7 (f) The commission is subject to the Political Reform  
8 Act of 1974 (Title 9 (commencing with Section 81000)).  
9 The commission is a state agency, as defined in Section  
10 82049.

11 (g) No member of the commission, for a period of one  
12 year after leaving office, shall, for compensation, act as  
13 agent or attorney for, or otherwise represent, any other  
14 person by making any formal or informal appearance, or  
15 by making any oral or written communication, before the  
16 commission, any committee or subcommittee thereof,  
17 any present member of the commission, or any officer or  
18 employee thereof, if the appearance or communication  
19 is made for the purpose of influencing the commission's  
20 action.

21 67150.5. As used in this title, "San Diego region"  
22 means the territory located within the boundaries of the  
23 County of San Diego.

24 67150.6. (a) This title shall remain in effect only until  
25 the effective date of the legislation implementing the  
26 commission's plan and on that date this title is repealed.

27 (b) The Secretary of State shall identify the effective  
28 date of the implementing legislation described in  
29 subdivision (a).

30 SEC. 2. Notwithstanding Section 17610 of the  
31 Government Code, if the Commission on State Mandates  
32 determines that this act contains costs mandated by the  
33 state, reimbursement to local agencies and school  
34 districts for those costs shall be made pursuant to Part 7  
35 (commencing with Section 17500) of Division 4 of Title  
36 2 of the Government Code. If the statewide cost of the  
37 claim for reimbursement does not exceed one million  
38 dollars (\$1,000,000), reimbursement shall be made from  
39 the State Mandates Claims Fund.

40 ~~AGENCY~~

CHAPTER 1. ~~GENERAL PROVISIONS~~

~~67150. This title shall be known and may be cited as the San Diego Regional Infrastructure and Transportation Agency Act.~~

~~67150.1. The Legislature finds and declares all of the following:~~

~~(a) Unlike the state's other metropolitan regions, the San Diego region consists of a single county with highly interdependent problems, challenges, and opportunities.~~

~~(b) The region's residents strongly support efforts to protect the environment, sustain economic development, and ensure the equitable distribution of the costs and benefits of environmental protection and economic development.~~

~~(c) Among the problems facing the San Diego region are increasing congestion of airports, ports, and surface transportation routes caused by present and future growth in the transportation of freight, goods, passengers, and commuters. The congestion of the San Diego region's transportation systems occurs because of the movement of goods and people through the region between Mexico and the rest of the United States, along routes that run both north-south and west-east.~~

~~(d) Among the challenges facing the San Diego region is the need to connect regional solutions with regional problems of transportation congestion, especially the movement of freight and goods, and air quality.~~

~~(e) Among the opportunities facing the San Diego region is the chance for state and local agencies to cooperate on solutions within the region.~~

~~(f) The search for regional solutions to regional problems is complicated by the fragmentation of public responsibility and accountability among many existing state and local agencies, each of which pursues its own mission without connecting to the full range of problems, challenges, and opportunities facing the San Diego region.~~